

_____ BILL NO. _____

INTRODUCED BY _____
(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A STATEWIDE PAY SCHEDULE FOR MONTANA PUBLIC SCHOOL TEACHERS OR SPECIALISTS WHO ARE CERTIFIED AS CLASS 1, CLASS 2, CLASS 4, OR CLASS 5 OR FOR THOSE IDENTIFIED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION AS BEING CERTIFIED AS CLASS 6 OR CLASS 7; REQUIRING FOR THE SCHOOL FISCAL YEAR 2008 THAT THE STATE PAY THE DIFFERENCE FOR A SCHOOL DISTRICT WHOSE CURRENT BASE SALARY IS LOWER THAN THE STATUTORILY CREATED BASE; PROVIDING AN EXCEPTION FOR HIGHER BASE SALARIES ESTABLISHED THROUGH COLLECTIVE BARGAINING; REVISING THE GENERAL FUND BUDGET LIMITATIONS; PROVIDING FOR LONGEVITY INCREASES; AMENDING SECTION 20-9-308, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Certified teacher and specialist pay schedule. (1) (a) Except as provided in subsection (3), effective for the school fiscal year beginning July 1, 2007, a school district shall, at a minimum, pay each teacher or specialist who is certified as class 1, class 2, class 4, or class 5 or pay each teacher or specialist identified by the superintendent of public instruction as being certified as class 6 or class 7, as follows:

								MA	MA+10	MA+20	MA+30/PHD
Step	BA	BA+10	BA+20	BA+30	BA+40	BA+50	BA+60	BA+70	BA+80	BA+90	
1	31,386	32,641	33,947	35,305	36,717	38,186	39,713	41,302	42,954	44,672	
2	32,328	33,621	34,966	36,364	37,819	39,331	40,905	42,541	44,243	46,012	
3	33,297	34,629	36,014	37,455	38,953	40,511	42,132	43,817	45,570	47,393	
4	34,296	35,668	37,095	38,579	40,122	41,727	43,396	45,132	46,937	48,814	
5	35,325	36,738	38,208	39,736	41,326	42,979	44,698	46,486	48,345	50,279	
6		37,840	39,354	40,928	42,565	44,268	46,039	47,880	49,795	51,787	
7		38,976	40,535	42,156	43,842	45,596	47,420	49,317	51,289	53,341	
8		40,145	41,751	43,421	45,158	46,964	48,842	50,796	52,828	54,941	

1	9	41,349	43,003	44,723	46,512	48,373	50,308	52,320	54,413	56,589
2	10	42,590	44,293	46,065	47,908	49,824	51,817	53,890	56,045	58,287
3	11				49,345	51,319	53,371	55,506	57,726	60,036
4	12				50,825	52,858	54,972	57,171	59,458	61,837
5	13					54,444	56,622	58,887	61,242	63,692
6	14					56,077	58,320	60,653	63,079	65,602
7	15						60,070	62,473	64,972	67,571

8 (b) For a school district whose base teacher or specialist salary is less than the base mandated in
9 subsection (1)(a), the state, for the school fiscal year beginning July 1, 2007, shall pay the difference between
10 the district's base salary and the minimum base salary provided in subsection (1)(a), including benefits.

11 (2) Effective for school fiscal years beginning on or after July 1, 2008, a school district shall pay the base
12 salary provided in subsection (1)(a) or (3) multiplied by the rate of increase in the consumer price index, for all
13 urban consumers, as published by the U.S. department of labor, bureau of labor statistics, for the preceding
14 December-to-December period.

15 (3) If a collective bargaining agreement establishes a higher base salary than the base established in
16 subsection (1)(a) or (2), the district shall pay the base established through collective bargaining.

17 (4) (a) In addition to the compensation provided for in subsection (1)(a), (2), or (3), the state shall for the
18 school fiscal year beginning July 1, 2007, pay each certified teacher or specialist who has completed 20 years
19 of credited service recognized by the Montana teachers' retirement system 5% of the employee's base salary.

20 (b) For the school fiscal year beginning July 1, 2007, in addition to the longevity allowance provided
21 under subsection (4)(a), the state shall pay each teacher or specialist who has completed 25 years of credited
22 service recognized by the Montana teachers' retirement system an additional 3% of the employee's base salary.

23 (5) In addition to the base salary provided in subsection (1)(a), (2), or (3) and the longevity increases
24 provided in subsection (4), the state shall pay to each qualified teacher or specialist a:

25 (a) \$1,000 annual stipend to each teacher or specialist holding a master's or doctoral degree;

26 (b) \$2,000 annual stipend to each teacher or specialist for national certification during the term of
27 certification;

28 (c) \$1,000 semester student-teacher advisership stipend; and

29 (d) \$1,000 annual stipend plus 3 days release time for a personal instruction committee assignment.

30 (6) The office of public instruction shall administer payments to school districts authorized under this

1 section.

2 (7) As used in this section, the following definitions apply:

3 (a) "B.A." means baccalaureate degree.

4 (b) "BA +" means the number of credits earned since receiving the B.A.

5 (c) "Credits" means college semester hour credits and equivalent inservice credits.

6 (d) "MA" means master's degree.

7 (e) "MA +" means the number of credits earned since receiving the MA.

8 (f) "PhD" means a doctorate degree.

9
10 **Section 2.** Section 20-9-308, MCA, is amended to read:

11 **"20-9-308. (Temporary) BASE budgets and maximum general fund budgets.** (1) The trustees of a
12 district shall adopt a general fund budget that is at least equal to the BASE budget established for the district and,
13 except as provided in subsection (3), does not exceed the maximum general fund budget established for the
14 district.

15 (2) Whenever the trustees of a district adopt a general fund budget that exceeds the BASE budget for
16 the district but does not exceed the maximum general fund budget for the district, the trustees shall submit a
17 proposition to the electors of the district, as provided in 20-9-353.

18 (3) (a) (i) Except as provided in ~~subsections~~ subsection (3)(a)(ii) and (3)(b), the trustees of a school
19 district whose previous year's general fund budget exceeds the current year's maximum general fund budget
20 amount may adopt a general fund budget up to the maximum general fund budget amount or the previous year's
21 general fund budget, whichever is greater. ~~Except as provided in subsection (3)(b), a school district may adopt~~
22 ~~a budget under the criteria of this subsection (3)(a)(i) for a maximum of 5 consecutive years, but the trustees shall~~
23 ~~adopt a plan to reach the maximum general fund budget by no later than the end of the 5-year period.~~

24 (ii) ~~Except as provided in subsection (3)(b), the~~ The trustees of a district whose general fund budget was
25 above the maximum general fund budget ~~established by Chapter 38, Special Laws of November 1993,~~ and
26 whose general fund budget has continued to exceed the district's maximum general fund budget in each school
27 fiscal year after school fiscal year ~~1993~~ 2008 may continue to adopt a general fund budget that exceeds the
28 maximum general fund budget. However, except for the state money distributed to a district for teacher and
29 specialist salaries pursuant to [section 1], the budget adopted for the current year may not exceed the lesser of:

30 (A) the adopted budget for the previous year; or

(B) the district's maximum general fund budget for the current year plus the over maximum budget amount adopted for the previous year.

~~(b) A school district that adopted a general fund budget over its maximum general fund budget under any provision of subsection (3)(a) at any time between fiscal year 2001 and fiscal year 2005 may, for fiscal year 2006 and fiscal year 2007, adopt the greater of its maximum general fund budget or the highest actual budget adopted between fiscal year 2001 and fiscal year 2005.~~

~~(e)(b) Except as provided in 20-9-353(8), the~~ Excluding the amount of state money distributed to the district for teacher and specialist salaries pursuant to [section 1], the trustees of the district shall submit a proposition to raise any general fund budget amount that is in excess of the maximum general fund budget for the district to the electors who are qualified under 20-20-301 to vote on the proposition, as provided in 20-9-353.

(4) The BASE budget for the district must be financed by the following sources of revenue:

(a) state equalization aid, as provided in 20-9-343, including any guaranteed tax base aid for which the district may be eligible, as provided in 20-9-366 through 20-9-369;

(b) county equalization aid, as provided in 20-9-331 and 20-9-333;

(c) a district levy for support of a school not approved as an isolated school under the provisions of 20-9-302;

(d) payments in support of special education programs under the provisions of 20-9-321;

(e) nonlevy revenue, as provided in 20-9-141; and

(f) a BASE budget levy on the taxable value of all property within the district.

(5) The over-BASE budget amount of a district must be financed by a levy on the taxable value of all property within the district or other revenue available to the district, as provided in 20-9-141. (Terminates June 30, 2007--sec. 3, Ch. 190, L. 2005; sec. 25(2), Ch. 462, L. 2005.)

20-9-308. (Effective July 1, 2007) BASE budgets and maximum general fund budgets. (1) The trustees of a district shall adopt a general fund budget that is at least equal to the BASE budget established for the district and, except as provided in subsection (3), does not exceed the maximum general fund budget established for the district.

(2) Whenever the trustees of a district adopt a general fund budget that exceeds the BASE budget for the district but does not exceed the maximum general fund budget for the district, the trustees shall submit a proposition to the electors of the district, as provided in 20-9-353.

(3) (a) (i) Except as provided in subsection (3)(a)(ii), the trustees of a school district whose previous

year's general fund budget exceeds the current year's maximum general fund budget amount may adopt a general fund budget up to the maximum general fund budget amount or the previous year's general fund budget, whichever is greater. ~~A school district may adopt a budget under the criteria of this subsection (3)(a)(i) for a maximum of 5 consecutive years, but the trustees shall adopt a plan to reach the maximum general fund budget by no later than the end of the 5-year period. A school district whose adopted general fund budget for the previous year exceeds the maximum general fund budget for the current year and whose ANB for the previous year exceeds the ANB for the current year by 30% or more shall reduce its adopted budget by:~~

——— (A) ~~in the first year, 20% of the range between the district's adopted general fund budget for the previous school fiscal year and the maximum general fund budget for the current school fiscal year;~~

——— (B) ~~in the second year, 25% of the range between the district's adopted general fund budget for the previous school fiscal year and the maximum general fund budget for the current school fiscal year;~~

——— (C) ~~in the third year, 33.3% of the range between the district's adopted general fund budget for the previous school fiscal year and the maximum general fund budget for the current school fiscal year;~~

——— (D) ~~in the fourth year, 50% of the range between the district's adopted general fund budget for the previous school fiscal year and the maximum general fund budget for the current school fiscal year; and~~

——— (E) ~~in the fifth year, the remainder of the range between the district's adopted general fund budget for the previous school fiscal year and the maximum general fund budget for the current school fiscal year.~~

(ii) The trustees of a district whose general fund budget was above the maximum general fund budget established by Chapter 38, Special Laws of November 1993, and whose general fund budget has continued to exceed the district's maximum general fund budget in each school fiscal year after school fiscal year ~~1993~~ 2008 may continue to adopt a general fund budget that exceeds the maximum general fund budget. However, except for the state money distributed to a district for teacher and specialist salaries pursuant to [section 1], the budget adopted for the current year may not exceed the lesser of:

(A) the adopted budget for the previous year; or

(B) the district's maximum general fund budget for the current year plus the over maximum budget amount adopted for the previous year.

(b) ~~The~~ Excluding the amount of state money distributed to the district for teacher and specialist salaries pursuant to [section 1], the trustees of the district shall submit a proposition to raise any general fund budget amount that is in excess of the maximum general fund budget for the district to the electors who are qualified under 20-20-301 to vote on the proposition, as provided in 20-9-353.

1 (4) The BASE budget for the district must be financed by the following sources of revenue:

2 (a) state equalization aid, as provided in 20-9-343, including any guaranteed tax base aid for which the
3 district may be eligible, as provided in 20-9-366 through 20-9-369;

4 (b) county equalization aid, as provided in 20-9-331 and 20-9-333;

5 (c) a district levy for support of a school not approved as an isolated school under the provisions of
6 20-9-302;

7 (d) payments in support of special education programs under the provisions of 20-9-321;

8 (e) nonlevy revenue, as provided in 20-9-141; and

9 (f) a BASE budget levy on the taxable value of all property within the district.

10 (5) The over-BASE budget amount of a district must be financed by a levy on the taxable value of all
11 property within the district or other revenue available to the district, as provided in 20-9-141."

12
13 **NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an
14 integral part of Title 20, chapter 4, and the provisions of Title 20, chapter 4, apply to [section 1].

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16 **NEW SECTION. Section 4. Contingent voidness.** If House Bill No. 2 does not contain appropriations
17 to pay for state costs incurred in paying the difference in base salary for school fiscal year 2008 and for required
18 longevity payments and state stipends and if accompanying legislation does not provide school districts with an
19 increase in budget authority, then [this act] is void.

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21 **NEW SECTION. Section 5. Effective date.** [This act] is effective July 1, 2007.

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